

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**BRIAN E. McDERMOTT**

Plaintiff

vs.

**CASE NUMBER: 6:11-CV-1057 (GTS/DEP)**

**JAMES CODY, Syracuse VAMC Director; MARK ANTONELLI, Syracuse VAMC HR  
Director; and LUCINDA WALTS, Syracuse VAMC Nurse Recruiter**  
Defendant(s)

**Decision by Court.** This action came to hearing before the Court.  
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Report and Recommendation of Magistrate Judge David E. Peebles is  
ACCEPTED AND ADOPTED in its entirety. Plaintiff's Complaint is hereby DISMISSED  
without prejudice. Judgment is entered in favor of the defendants and this action is  
closed.

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated  
the 27<sup>th</sup> day of January, 2012.

DATED: January 30, 2012

  
Clerk of Court

s/

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Joanne Bleskoski  
Deputy Clerk